

Washington Oil Spill Advisory Council

Work Plan Priorities

The work from I and II will be done simultaneously and on different tracks. A consultant will be hired to evaluate I (b), (c), (d), and (f) through (i). A consultant might be hired to help with II. The work in II will also be ongoing. As for II and III, the end of 2006 will probably be too soon to provide a recommendation on a start-of-the-art spill prevention program. We will evaluate only the pieces of III that are set forth below and will tell the legislature whether or not these pieces are necessary components of a start-of-the-art program.

I. Work to Present Legislature with Funding Options for the Washington Oil Spill Program We Envision

- Funding work includes doing the following:
- a) By reviewing lessons learned, the work of other committees and councils, and other prevention programs, council and staff will identify as many components of a state-of-the-art prevention, response, remediation, and recovery program that it is possible to identify and fully evaluate in 2006. Of the components evaluated, the council will determine which components should be implemented in Washington. The items the council believes it will have the resources to examine in 2006 are set forth in III (a) through (e) below. (Part II is also a subset of this process.) When this piece is done, immediately do IV (d) of Work Plan regarding exploring the Intertanko window.
 - b) Council will direct staff to identify federal activities that are required or authorized under law, but are not happening due to lack of funding.
 - c) Council will direct staff to identify activities being done by the State under an agreement with the federal government, which the federal government is not funding.
 - d) To achieve a state-of-the-art program, the council will identify what work needs to be done. It will then prioritize this work and provide the prioritized list to the financial consultant. The consultant will then (1) identify the cost of accomplishing these items, (2) determine which items are currently funded, by what entity, and at what rate, and (3) which items are not being funded. (Part II is also a subset of this.)
 - e) The consultant will identify additional potential sources of funding for both items that have current funding and for items that are not currently funded.
 - f) The council will develop a list of criteria and values to be considered by the consultant in exploring options for which industries, other than the oil industry, should share the cost of Washington's oil spill program, based on risk relating to number and volume of spills, and in light of Washington's zero spill prevention stance. The consultant will identify costs that all sectors spend on prevention. The consultant will explore taxes and fees already paid by other industries and explore additional taxes and fees that could be collected to support an oil spill program. The consultant will then use these criteria in making recommendations to the council regarding this issue.
 - g) The consultant will fully examine issues relating to the taxes calculated for, imposed on, and credited to the oil industry for oil crossing Washington's waters to determine if changes to the barrel tax rate or tax rebates are prudent in light of risk and responsibility. Obtain information that will make it possible for the council to do this evaluation, including information regarding the amount of oil crossing Washington's waters.
 - h) The consultant will research and provide to the council information needed to make a determination about raising the cap on the Emergency Response Fund.

II. Define and Recommend a State-of-the-art Oil Spill Prevention Program for Washington that Does Not Reinvent the Wheel

In defining and creating a state-of-the-art oil spill prevention program for Washington, do the following:

- a) Review other model programs and identify the best practices being used. First, narrow the universe of programs that we will study.
- b) Review the work of other councils and evaluate their work in technical committees.
- c) Review “near miss” data.
- d) Review “lessons learned” reports and recommendations given by other task forces. Analyze these and either reject or approve these as being prudent. Prioritize those that are approved. Identify whether the approved lessons learned and recommendations are being implemented. If so, where? If they are not, why not and what things could the council recommend that would enable and ensure unimplemented lessons learned are finally implemented.

III. Explore and Make Recommendations Regarding Better Prevention and Rapid Response Efforts

Identify and prioritize creative ways to do the following: (these were III (g) through (k) on the Work Plan.

- a) Ensure continual funding of the Neah Bay rescue tug at or exceeding present funding limits.
- b) Eliminate spills from “Derelict Vessels.”
 - This may include bringing together and coordinating various agencies with jurisdiction over derelict vessels to work cooperatively to improve the derelict vessel removal program.
- c) Explore the institution of additional cost effective rescue tugs in strategic locations to eliminate spills.
 - This may include evaluating the International Tug of Opportunity System for effectiveness and improvement.
- d) Enhance spill prevention with changes to the tug escort program.
 - This may include
 - Changing the number of tug escorts required,
 - Altering the types of vessels required to be escorted, and
 - Requiring that escorts be extended further west.
- e) Evaluate whether there are sufficient resources in Washington to handle a major oil spill and make recommendations on how sufficient resources can be obtained. Answer the question of “whether we can afford (financially) to respond to a major oil spill.”
 - One example may include whether there is enough boom to handle a major spill.

- Another example is whether the groups and organizations that could participate in a locally based rapid response and remediation program, have what they need.
- We may want to apply for a grant to do this work with a consultant.

IV. Fulfill Tracking and Advisory Role

Staff will keep the council abreast of comment periods for regulatory rulemaking processes. Staff and the council will develop a protocol for convening and/or commenting when rule announcement and comment deadlines fall between regularly scheduled council meetings.